

# Exhibit 26

1           **MORRISON SUND PLLC**  
2           **5125 COUNTY ROAD 101**  
3           **SUITE 200**  
4           **MINNETONKA, MN 55345**

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10          *Counsel for Indirect Purchaser Plaintiffs*

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12          **UNITED STATES DISTRICT COURT**  
13          **NORTHERN DISTRICT OF CALIFORNIA**  
14          **SAN FRANCISCO DIVISION**

15          **IN RE: CATHODE RAY TUBE (CRT)**  
16          **ANTITRUST LITIGATION**

17          Case No. 3:07-cv-5944  
18          MDL No. 1917

19          **CLASS ACTION**

20          This Document Relates to:  
21          All Indirect Purchaser Actions

22          **DECLARATION OF BRIAN M. SUND IN  
23          SUPPORT OF PLAINTIFFS' APPLICATION  
24          FOR ATTORNEYS' FEES, EXPENSES AND  
25          INCENTIVE AWARDS**

26          Judge: Honorable Samuel Conti  
27          Courtroom One, 17th Floor

1 I, Brian M. Sund, declare as follows:

2 1. I am an attorney licensed to practice before the courts of Minnesota, and an Owner  
3 in the law firm Morrison Sund PLLC. I have personal knowledge of the facts stated in this  
4 declaration and, if called as a witness, I could and would testify competently to them. I make this  
5 declaration in support of my firm's request for attorneys' fees and reimbursement of litigation  
6 expenses, as set forth in Plaintiffs' Application for Attorneys' Fees, Expenses and Incentive  
7 Awards.

8 2. My firm is counsel of record in this case, and represents the Indirect Purchaser  
9 Plaintiffs. A brief description of my firm is attached as Exhibit 1 and incorporated herein by  
10 reference.

11 3. Throughout the course of this litigation, my firm kept files contemporaneously  
12 documenting all time spent, including tasks performed, and expenses incurred, and transmitted  
13 those reports on a regular basis to Lead Counsel. All of the time and expenses reported by my firm  
14 were incurred for the benefit of the Indirect Purchaser Plaintiffs ("IPPs").

15 4. During the course of this litigation, my firm has been involved in the following  
16 tasks and activities on behalf of the IPPs. All of this work was assigned and/or approved by Lead  
17 Counsel. My firm was a part of the discovery team. As part of the discovery team, attorneys from  
18 my firm reviewed, analyzed and coded documents produced by defendants and third parties,  
19 prepared witness kits for deponents, and participated in discovery team conference calls and  
20 meetings.

21 5. The schedule attached as Exhibit 2, and incorporated herein, is a detailed summary  
22 of the amount of time spent by my firm's partners, attorneys and professional support staff who  
23 were involved in this litigation. It does not include any time devoted to preparing this declaration  
24 or otherwise pertaining to the Joint Fee Petition. The lodestar calculation is based on my firm's  
25 historical billing rates in effect at the time services were performed. Exhibit 2 was prepared from  
26 contemporaneous time records regularly prepared and maintained by my firm. Those records have  
27 been provided to Lead Counsel and I authorize them to be submitted for inspection by the Court if

1 necessary. The hourly rates for my firm's partners, attorneys and professional support staff  
2 included in Exhibit 2 were at the time the work was performed the usual and customary hourly  
3 rates charged for their services in similar complex litigation.

4       6. The total number of hours reasonably expended on this litigation by my firm from  
5 inception to May 31, 2015 is 1,108 hours. The total lodestar for my firm at historical rates is  
6 \$387,800.00. The total lodestar for my firm at current rates is \$476,440.00. Expense items are  
7 billed separately and are not duplicated in my firm's lodestar.

8       7. The expenses my firm incurred in litigating this action are reflected in the books  
9 and records of my firm. These books and records are prepared from expense vouchers, invoices,  
10 receipts, check records and other source materials and accurately reflect the expenses incurred.  
11 My firm's expense records are available for inspection by the Court if necessary.

12       8. My firm did not incur any expenses in litigating this action.

13       I declare under penalty of perjury that the foregoing is true and correct. Executed this 18<sup>th</sup>  
14 day of September, 2015, in Hennepin County, Minnesota. Brian Sund

15 [SIGNATURE]

# EXHIBIT 1



## LITIGATION DEPARTMENT



## LITIGATION

Morrison Sund has a team of highly skilled and talented litigators, with a broad range of experience in the areas of real estate, construction, commercial, product liability, insurance coverage, premises liability, employment, corporate, and class action litigation. These areas include disputes involving commercial and construction contracts, construction defects, mechanic's liens, personal injury defense, fire and explosion litigation, first and third party insurance coverage (including bad faith defense), shareholder interests, buy/sell agreements, non-compete agreements, intellectual property, trade secrets, trade mark and copyright infringement, family succession, quiet title actions, fraud, specific performance, and collections.

Morrison Sund also has an extensive appellate practice division with an unparalleled success record. In the past 10 years, the firm has prevailed in several Court of Appeals decisions and three Minnesota Supreme Court decisions. Between 2009 and 2012 alone, Morrison Sund won three Minnesota Supreme Court decisions, three Minnesota Court of Appeals decisions and one Wisconsin Court of Appeals decision. Our appellate division enables us to handle appeals from the district court that were handled by other firms as well for the specific purpose of the appeal alone. Our firm is happy to handle any appeal at any level without any trepidation to the referral source regarding the client.

Brian Sund chairs the Litigation Department. Together with fellow principal, Brad Ayers, the two have over 60 years of experience trying a variety of cases on a local, regional and national basis. The firm has built a solid reputation as trial lawyers in the Midwest and is widely respected for its practice expertise, particularly in the areas of construction litigation, title defense, insurance coverage, and product liability defense.



**BRIAN M. SUND - PRINCIPAL**  
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**BRADLEY J. AYERS - PRINCIPAL**  
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Brad practices in the areas of product liability, premises liability, insurance and construction litigation. He represents a variety of corporations and insurers in personal injury and property damage cases nationwide. Brad has successfully tried numerous cases to verdict in State and Federal. Brad has also successfully tried insurance coverage cases involving arson, fraud and fire subrogation.



**RYAN R. DREYER - PRINCIPAL**  
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PHONE – (952) 277-0116  
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Ryan has a broad litigation practice and has tried cases involving breach of fiduciary duty, fraudulent transfers, breach of contract, statutory employment claims, mechanic's liens, construction defects, conversion, and numerous other business and individual claims and criminal matters.



**ERIC G. NASSTROM - PRINCIPAL**  
**LITIGATION**  
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Eric exclusively practices in the area of civil litigation and insurance defense. A major focus of his practice involves representing clients in real estate matters, including title insurance defense, mechanic's lien claims, construction and landlord/tenant disputes, and mortgage foreclosures. He also frequently handles commercial civil litigation matters.



**JACKSON D. BIGHAM - ATTORNEY**  
**LITIGATION**  
PHONE – (612) 412-3565  
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Jackson concentrates his practice in the field of complex litigation, primarily in antitrust, unfair competition and consumer protection matters. Jackson has represented plaintiffs and plaintiff classes in multidistrict litigation class actions involving claims of anticompetitive conduct, unfair business practices, and consumer fraud.



**STACY L. KABELE - ATTORNEY**  
**LITIGATION**  
PHONE – (952) 277-0130  
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Stacy is an experienced trial attorney who has first-chaired over 30 jury and bench trials in Minnesota courts. In 2011, Stacy's experience also includes working as in-house trial attorney for more than eight years for one of the nation's largest mutual property and casualty insurers.





**KERRY A. TRAPP - ATTORNEY**

LITIGATION

PHONE – (952) 277-0137

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**JEFFREY R. UNDERHILL - ATTORNEY**

LITIGATION

PHONE – (952) 277-0117

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Jeff practices civil litigation and has experience with construction defect cases, mechanic's lien claims, contract disputes, real estate matters, and conflicts governed by the Minnesota Common Interest Ownership Act. Jeff has also litigated adversarial actions before the bankruptcy court.

# EXHIBIT 2

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917  
TIME AND LODESTAR SUMMARY  
INDIRECT PURCHASER PLAINTIFFS**

Firm Name			
Reporting Year	2007		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917  
TIME AND LODESTAR SUMMARY  
INDIRECT PURCHASER PLAINTIFFS**

Firm Name			
Reporting Year	2008		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917  
TIME AND LODESTAR SUMMARY  
INDIRECT PURCHASER PLAINTIFFS**

Firm Name			
Reporting Year	2009		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917**  
**TIME AND LODESTAR SUMMARY**  
**INDIRECT PURCHASER PLAINTIFFS**

<b>Firm Name</b>			
<b>Reporting Year</b>	2010		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917  
TIME AND LODESTAR SUMMARY  
INDIRECT PURCHASER PLAINTIFFS**

Firm Name			
Reporting Year	2011		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917  
TIME AND LODESTAR SUMMARY  
INDIRECT PURCHASER PLAINTIFFS**

Firm Name	Morrison Sund		
Reporting Year	2012		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917  
TIME AND LODESTAR SUMMARY  
INDIRECT PURCHASER PLAINTIFFS**

Firm Name	Morrison Sund		
Reporting Year	2013		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917  
TIME AND LODESTAR SUMMARY  
INDIRECT PURCHASER PLAINTIFFS**

Firm Name			
Reporting Year	2014		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917**  
**TIME AND LODESTAR SUMMARY**  
**INDIRECT PURCHASER PLAINTIFFS**

Firm Name			
Reporting Year	2015		

**IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917**  
**TIME AND LODESTAR SUMMARY**  
**INDIRECT PURCHASER PLAINTIFFS**

Firm Name	Morrison Sund											
Reporting Year	Inception through Present											

Year	1	2	3	4	5	6	7	8	9	10	11	12	Hours	Lodestar
2007	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2008	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2009	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2010	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2011	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2012	0.0	0.0	0.0	0.0	0.0	0.0	766.3	0.0	0.0	0.0	0.0	0.0	766.3	\$ 268,205.00
2013	0.0	0.0	0.0	0.0	0.0	0.0	341.7	0.0	0.0	0.0	0.0	0.0	341.7	\$ 119,595.00
2014	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2015	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
	0.0	0.0	0.0	0.0	0.0	0.0	1108.0	0.0	0.0	0.0	0.0	0.0	1108.0	\$ 387,800.00

**STATUS:**

- (P) Partner
- (OC) Of Counsel
- (A) Associate
- (LC) Law Clerk
- (PL) Paralegal
- (I) Investigator

**CATEGORIES:**

- 1 Attorney Meeting/Strategy
- 2 Court Appearance
- 3 Client Meeting
- 4 Draft Discovery Requests or Responses
- 5 Deposition Preparation
- 6 Attend Deposition - Conduct/Defend
- 7 Document Review
- 8 Experts - Work or Consult
- 9 Research
- 10 Motions/Pleadings
- 11 Settlement
- 12 Trial

# EXHIBIT 3

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

EXPENSE SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	Trump Alioto Trump & Prescott, LLP
Reporting Year	Inception through Present

TYPE OF EXPENSE		TOTAL
Assessments		
Outside Copies		
In-house Reproduction /Copies		
Court Costs & Filing Fees		
Court Reporters 7 Transcripts		
Computer Research		
Telephone & Facsimile		
Postage/Express Delivery/Courier		
Professional Fees (investigator, accountant, etc.)		
Experts		
Witness / Service Fees		
Travel: Airfare		
Travel: Lodging/Meals		
Travel: Other		
Car Rental/Cabfare/Parking		
Other Expenses		
		\$ -